n reunpplication of:

BRUCE BRYAN ET AL.

Serial No.: 09/808,898

Filed: March 15, 2001

Group Art Unit: 1642

RENILLA RENIFORMIS

FLUORESCENT PROTEINS,

NUCEIC ACIDS ENCODING THE

FLUORESCENT PROTEINS AND THE

**USE THEREOF IN DIAGNOSTICS** 

Attorney Docket No. 24729-128

## INFORMATION DISCLOSURE STATEMENT

March 13, 2002

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Pursuant to the provisions of 37 CFR Sections 1.56, 1.97 and 1.98, Applicants submit herewith copies of the references cited on the attached Forms PTO/SB/08A and Forms PTO/SB/08B for consideration during prosecution of this application. The cited documents are provided in five groups: (1) art that may be related to isolation/cloning of GFP or luciferase proteins and genes; (2) art that may be related to uses of GFP or luciferase; (3) art that may be related to items/procedures that use chemiluminescence; (4) art that may be related to novelty items which use chemiluminescence or bioluminescence; and (5) art that may be related to items/procedures that do not use chemiluminescence or bioluminescence.

This Statement is filed solely for the purpose of complying with the pertinent rules of the Office and is not intended to be a substitute for an independent evaluation by the Examiner of the art cited or an independent search by the Examiner, and no representation of any nature is made or intended by the filing of this Statement.

Respectfully submitted,

Alan G. Towner

Registration No. 32,949

Pietragallo, Bosick & Gordon

One Oxford Centre, 38th Floor

301 Grant Street

Pittsburgh, PA 15219

Attorney for Applicant

(412) 263-4340

| FORM PTO-1449 (Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | ATTY. DOCKET NO.<br>24729-0128 | SERIAL NO.<br>09/808,898 | THE CALL |
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| MAR 1 9 2007 22   | APPLICANT<br>BRYAN et al.      |                          | 场一个      |
|   | FILING DATE<br>March 15, 2001  | GROUP<br>1642            | 003      |
| 1) Art that concerns isolation/cloning of GEP, or Lucife  | rase proteins and genes        |                          | 3        |

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| 1         | Α      | 4    | 5   | 8                                     | 1     | 3     | -3   | 5     | 4/8/86        | Baldwin        | 435  | 172.3  | 12/1/82  |
| 1         | В      | 4    | 9   | 6                                     | 8     | 6     | 1    | 3     | 11/6/90       | Masuda et al.  | 435  | 172.3  | 07/26/88 |
| 1         | С      | 5    | 0   | 9                                     | 3     | 2     | 4    | 0     | 3/3/92        | Inouye et al.  | 435  | 69.1   | 10/8/87  |
| 1         | D      | 5    | 0   | 9                                     | 8     | 8     | 2    | 8     | 3/24/92       | Geiger et al.  | 435  | 7.72   | 10/24/86 |
| 1         | Е      | 5    | 1   | 3                                     | 9     | 9     | 3    | 7     | 8/18/92       | Inouye et al.  | 435  | 69.1   | 11/18/88 |
| 1         | F      | 5    | 1   | 6                                     | 2     | 2     | 2    | 7     | 11/10/92      | Cormier        | 435  | 252.33 | 03/17/88 |
| 1         | G      | 5    | 1   | 8                                     | 2     | 2     | 0    | 2     | 1/26/93       | Kajiyama et    | 435  | 189    | 8/5/91   |
|           |        |      |     |                                       | ļ     |       |      |       |               | al.            |      |        |          |
| 1         | Н      | 5    | 1   | 9                                     | 6     | 5     | 2    | 4     | 3/23/93       | Gustafson et   | 536  | 23.2   | 01/06/89 |
| LA V      |        |      |     |                                       |       |       |      |       |               | al.            |      |        |          |
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| 1         | J      | 5    | 2   | 2                                     | 9     | 2     | 8    | 5     | 7/20/93       | Kajiyama et    | 435  | 189    | 6/23/92  |
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| 1         | Р      | 5    | 4   | 2                                     | 2     | 2     | 6    | 6     | 06/6/95       | Cormier et al. | 435  | 252.3  | 10/9/92  |
| 1         | Q      | _ 5  | 6   | 0                                     | 4     | 1     | 2    | 3     | 02/18/97      | Kazami et al.  | 435  | 189    | 06/15/94 |
| 1         | R      | 5    | 6   | 2                                     | 5     | 0     | 4    | 8     | 4/29/97       | Tsien et al.   | 536  | 23.4   | 11/10/94 |
| 1         | S      | 5    | 7   | 4                                     | 1     | 6     | 6    | 8     | 04/21/98      | Ward et al.    | 435  | 69.1   | 05/26/95 |
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<sup>&</sup>quot;\*\*" Indicates references provided herewith

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| with MPEP 609; Draw line through citation | n if not in conformance and not considered.  |
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| ·        |          | 273:1392-1395 (1996)   |  | ······································ |                    |   |
| 1        | CN       | Prasher et al., Cloning and expres   |  |  |                    |   |
| 1        | СО       | calcium-binding protein, <u>Biochem</u> Prasher et al., <u>Bioluminescence</u> a   |  |  |                    |   |
| '        | 00       | Applications, DeLuca et al., eds.,   | nn 365-367 Academic Press                              | (1981)                                 | aryticai           |   |
| 1        | CP       | Prasher et al., Isolation and expre  |  |  | ctivated           |   |
|          |          | photoprotein from Aequorea victo   |  |  |                    |   |
| 1        | CQ       | Prasher et al., Sequence compari<br>Biochem. 26:1326-1332 (1987)   | sons of complementary DNAs                             | encoding aequorin                      | isotype            | s,                                      |
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|          |          | 111:229-233 (1992)   | are , requered victoria green                          | nuo. oooonii protoiii,                 | <u> </u>           |   |
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| 2.4      |          | Protein Isolated from Aequorea for   |  |  |                    |   |
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|          |          | Proceedings of International School (1990)   | ooi, 1st, ed., Jezowska-Trzebia                        | itowska <i>et al.</i> , World          | Scienc             | ,                                       |
| 1        | CU       | SeaLite Sciences Technical Repo  | rt No. 3. "The Recombinant Pl                          | hotoprotein Aqual it                   | e TM "             |   |
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| 1        | CW       | Shimomura et al., Semi-synthetic ion concentration, Biochem. J. 25   |  | r tne measurement o                    | or calciu          | ım                                      |
| 1        | CX       | Shimomura et al. Structure of Ligh   |  | Riochemistry 11:16                     | 02-160             | <u>R</u>                                |
|          |          | (1972)   |  |  |                    | _                                       |
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| 3                       | GU | 4 | 7   | 1   | 4    | 6    | 8   | 2 | 12/22/87 | Schwartz                | 436       | 10               | 04/03/87       |
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| 3                       | HA | 4 | 9   | 5   | 0    | 5    | 8   | 8 | 8/21/90  | Dattagupta              | 435       | 6                | 09/27/88       |
| 3                       | НВ | 5 | 0   | 0   | 4    | 5    | 6   | 5 | 4/02/91  | Schaap                  | 252       | 700              | 07/27/88       |
| 3                       | HC | 5 | 1   | 8   | 9    | 0    | 2   | 9 | 02/23/93 | Boyer et al.            | 514       | 64               | 04/23/90       |
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| 3                       | HF | 5 | 4   | 2   | 2    | 0    | 7   | 5 | 06/06/95 | Saito et al.            | 422       | 52               | 05/27/93       |
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|         |          | regions and the reactive cysteinyl   |                                  |   |  |  |  |  |  |
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| 4       | KD                    | 3 | 5           | 8   | 4    | 2        | 1   | 1                                      | 6/8/71   | Rauhut            | 240  | 2.25       | 10/7/68  |  |
| 4       | KE                    | 3 | 6           | 3   | 4    | 2        | 8   | 0                                      | 1/11/72  | Dean et al.       | 252  | 301.3<br>R | 12/31/68 |  |
| 4       | KF                    | 3 | 6           | 6   | 1    | 7        | 9   | 0                                      | 5/9/72   | Dean et al.       | 252  | 301.3<br>R | 1/31/68  |  |
| 4       | KG                    | 4 | 5           | 6   | 3    | 7        | 2   | 6                                      | 1/7/86   | Newcomb et al.    | 362  | 34         | 8/20/84  |  |
| 4       | KH                    | 4 | 7           | 1   | 7    | 1        | 5   | 8                                      | 1/5/88   | Pennisi           | 273  | 58A        | 6/26/86  |  |
| 4       | KI                    | 4 | 7           | 8   | 1    | 6        | 4   | 7                                      | 11/1/88  | Doane, Jr.        | 446  | 219        | 5/4/87   |  |
| 4       | KJ                    | 4 | 9           | 2   | 4    | 3        | 5   | 8                                      | 5/8/90   | Von Heck          | 362  | 32         | 9/12/88  |  |
| 4       | KK                    | 4 | 9           | 6   | 3    | 1        | 1   | 7                                      | 10/16/90 | Gualdoni          | 446  | 219        | 10/30/89 |  |
| 4       | KL                    | 5 | 1           | 5   | 8    | 3        | 4   | 9                                      | 10/27/92 | Holland et al.    | 362  | 34         | 07/03/91 |  |
| 4       | KM                    | 5 | 1           | 7   | 1    | 0        | 8   | 1                                      | 12/15/92 | Pita et al.       | 362  | 34         | 5/29/92  |  |
| 4       | KN                    | 5 | 2           | 2   | 2    | 7        | 9   | 7                                      | 6/29/93  | Holland           | 362  | 34         | 10/31/91 |  |
| 4       | KO                    | 5 | 3           | 2   | 3    | 4        | 9   | 2                                      | 6/28/94  | DeMars            | 2    | 203.13     | 11/6/92  |  |
| 4       | KP                    | 5 | 3           | 8   | 3    | 1        | 0   | 0                                      | 01/17/95 | Kikos             | 362  | 34         | 08/02/91 |  |
| 4       | KQ                    | 5 | 4           | 1   | 3    | 3        | 3   | 2                                      | 5/09/95  | Montgomery        | 273  | 58         | 05/26/94 |  |
| 4       | KR                    | 5 | 4           | 1   | 5    | 1        | 5   | 1                                      | 5/16/95  | Fusi et al.       | 124  | 56         | 9/20/93  |  |
| 4       | KS                    | 5 | 6           | 7   | 1    | 9        | 9   | 8                                      | 09/30/97 | Collet            | 362  | 101        | 08/30/91 |  |
| 4       | KT                    | 5 | 7           | 3   | 0    | 3        | 2   | 1                                      | 03/24/98 | McAllister et al. | 222  | 1          | 12/13/95 |  |
| 4       | KU                    | 5 | 8           | 7   | 6    | 9        | 9   | 5                                      | 3/2/99   | Bryan             | 435  | 189        | 11/25/96 |  |
| 4       | KV                    | 6 | 1           | 1   | 3    | 8        | 8   | 6                                      | 09/05/00 | Bryan             | 424  | 49         | 11/22/99 |  |
| 4       | KW                    | 6 | 1           | 5   | 2    | 3        | 5   | 8                                      | 11/28/00 | Bryan             | 229  | 87.19      | 08/17/98 |  |
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| 5                       | KY     | 2    | 5  | 4   | 1    | 8    | 5   | 1   | 2/13/51  | Wright            | 260       | 37               | 12/23/44       |
| 5                       | KZ     | 3 -  | 6  | 4   | 9    | 0    | 2   | 9   | 03/14/72 | Worrell           | 273       | 186              | 07/09/69       |
| 5                       | LA     | 3    | 7  | 2   | 7    | 2    | 3   | 6   | 04/17/73 | Lloyd et al.      | 2         | 51               | 06/15/71       |
| 5                       | LB     | 3    | 3  | 8   | 4    | 4    | 9   | 8   | 5/21/68  | Ahrabi            | 106       | 38.5             | 1/4/67         |
| 5                       | LC     | 3    | 8  | 7   | 3    | 4    | 8   | 5   | 3/25/75  | Fichera           | 260       | 29.2             | 4/3/74         |
| 5                       | LD     | 4    | 0  | 2   | 1    | 3    | 6   | 4   | 5/03/77  | Speiser           | 252       | 316              | 12/04/73       |
| 5                       | LE     | 4    | 0  | 4   | 4    | 1_   | 2   | 6   | 08/23/77 | Cook et al.       | 424       | 243              | 07/09/76       |
| 5                       | LF     | 4    | 1  | 7   | 5    | 1    | 8   | 3   | 11/20/79 | Ayers             | 536       | 57               | 05/24/78       |
| 5                       | LG     | 4    | 1  | 7   | 7    | 0    | 3   | 8   | 12/04/79 | Biebricher et al. | 8         | 192              | 05/17/77       |
| 5                       | LH     | 4    | 2  | 2   | 5    | 5    | 8   | 1   | 9/30/80  | Kreuter et al.    | 424       | 88               | 8/07/78        |
| 5                       | LÏ     | 4    | 2  | 2   | 9    | 7    | 9   | 0   | 11/21/80 | Gilliland et al.  | 364       | 200              | 10/16/78       |
| 5                       | LJ     | 4    | 2  | 6   | 9    | 8    | 2   | 1   | 5/26/81  | Kreuter           | 424       | 19               | 05/02/80       |
| 5                       | LK     | 4    | 2  | 8   | 1    | 6    | 4   | 5   | 08/04/81 | Jöbsis            | 128       | 633              | 06/28/77       |
| 5                       | LM     | 4    | 2  | 8   | 2    | 2    | 8   | 7   | 8/4/81   | Giese             | 428       | 407              | 01/24/80       |
| 5                       | LN     | 4    | 3  | 2   | 4    | 6    | 8   | 3   | 4/13/82  | Lim et al.        | 252       | 316              | 08/20/75       |
| 5                       | LO     | 4    | 3  | 6   | 4    | 9    | 2   | 3   | 12/21/82 | Cook et al.       | 424       | 46               | 04/30/81       |
| 5                       | LP     | 4    | 4  | 1   | 4    | 2    | 0   | 9   | 11/08/83 | Cook et al.       | 424       | 243              | 06/13/77       |
| 5                       | LQ     | 4    | 5  | 2   | 8    | 1    | 8   | 0   | 7/09/85  | Schaeffer         | 424       | 52               | 03/01/83       |
| 5                       | LR     | 4    | 5  | 4   | 2    | 1    | 0   | 2   | 9/17/85  | Dattagupta et al. | 435       | 6                | 07/05/83       |
| 5                       | LS     | 4    | 5  | 6   | 2    | 1    | 5   | 7   | 12/31/85 | Lowe et al.       | 435       | 291              | 05/25/84       |
| 5                       | LT     | 4    | 6  | 7   | 6    | 4    | 0   | 6   | 6/30/87  | Frischmann et al. | 222       | 136              | 9/29/86        |
| 5                       | LU     | 4    | 6  | 8   | 1    | 8    | 7   | 0   | 7/21/87  | Balint et al.     | 502       | 403              | 01/11/85       |
| 5                       | LV     | 4    | 7  | 3_  | 5    | 6    | 6   | 0   | 4/5/88   | Cane              | 106       | 203              | 6/26/87        |
| 5<br>5                  | LW     | 4    | 7  | 4   | 5    | 0    | 5   | 1   | 05/17/88 | Smith et al.      | 435       | 68               | 05/27/83       |
| 5                       | LX     | 4    | 7  | 6   | 2    | 8    | 8   | 1   | 8/09/88  | Kauer             | 525       | 54.11            | 01/09/87       |
| 5                       | LY     | 4    | 7  | 6   | 5    | 5    | 1   | 0   | 8/23/88  | Rende             | 222       | 79               | 4/7/87         |
| 5                       | LZ     | 4    | 7  | 8   | 9    | 6    | 3   | 3   | 12/06/88 | Huang             | 435       | 240.2            | 04/19/84       |
| 5<br>5<br>5             | MA     | 4    | 8  | 7   | 0    | 0    | 0   | 9   | 09/26/89 | Evans et al.      | 435       | 70               | 12/15/83       |
| 5                       | MB     | 4    | 8  | 8   | 2    | 1    | 6   | _5  | 11/21/89 | Hunt et al.       | 424       | 450              | 11/05/86       |
|                         | MC     | 4    | 8  | 9   | 1    | 0    | 4   | 3   | 1/02/90  | Zeimer et al.     | 604       | 20               | 05/28/87       |
| 5                       | MD     | 4    | 9  | 0   | 8    | 4    | 0   | - 5 | 3/13/90  | Bayer et al.      | 525       | 61               | 01/02/86       |
| 5                       | ME     | 4    | 9  | 2   | 1    | 7    | 5   | 7   | 5/01/90  | Wheatley et al.   | 428       | 402.2            | 09/03/87       |
| 5                       | MF     | 4    | 9  | 2   | 7    | 9    | 2   | 3   | 05/22/90 | Mathis et al.     | 540       | 456              | 09/20/85       |
| 5                       | MG     | 4.   | 9  | 5   | 2    | 4    | 9   | 6   | 08/28/90 | Studier et al.    | 435       | 91               | 12/29/86       |
| 5                       | МН     | 5    | 0  | 2   | 3    | 1    | 8   | 1   | 6/11/91  | Inouye            | 435       | 189              | 7/13/88        |
| 5                       | MI     | 5    | 0  | 9   | 6    | 8    | 0   | 7   | 3/17/92  | Leaback           | 435       | 6                | 3/17/92        |
| 5                       | MJ     | 5    | 1  | 2   | 8    | 2    | 5   | 6   | 07/07/92 | Huse et al.       | 435_      | 172.3            | 04/20/89       |
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| 5 | NS   | 9 | 4  | 2    | 5   | 8   | 5   | 5 | 11/10/94 | PCT     |      |           |       |        |
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